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Attorneys for Defendant
SAFELITE FULFILLMENT, INC.

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

DEMETRIOT K. LEWIS, individually and
on behalf of others similarly situated,

Plaintiff,

vs.

SAFELITE FULFILLMENT INC.; and
DOES 1 through 10.

Defendants.

Case No. CV-11-5512-CRB

**STIPULATION RE VACATING CLASS
CERTIFICATION MOTION HEARING
DATE IN LIGHT OF PENDING MOTION
FOR SETTLEMENT APPROVAL AND
ORDER THEREON**

1 Additional Counsel

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15 Attorneys for Defendant
16 SAFELITE FULFILLMENT, INC.

17
18 Plaintiff Demetriot K. Lewis ("Plaintiff"), and defendant Safelite Fulfillment, Inc.
19 ("Defendant"), by and through their counsel of record, hereby enter into the following
20 Stipulation re Extension of Motion Cutoff Date and mutually request the Court to enter an
21 order in accordance therewith.

22 **STIPULATION**

23 1. Plaintiff initiated this action on November 14, 2011. In his complaint, Plaintiff
24 asserts claims against Defendant for unpaid overtime wages under the Fair Labor Standards
25 Act, which Plaintiff seeks to pursue as a collective action under 29 U.S.C. Section 216, and
26 various wage and hour claims against Defendant under California law, which Plaintiff seeks
27 to pursue as a class action pursuant to Rule 23 of the Federal Rules of Civil Procedure.

28 2. At a case management conference on July 20, 2012, the Court set the following

1 motion hearing cutoff dates:

2 Motion to Certify Rule 23 Class and Dispositive Motions April 30, 2013

3 Motion for Decertification if an FLSA Class is Conditionally Certified June 30, 2013

4 3. By order of the Court dated February 22, 2013, the case management schedule
5 was modified and a hearing for Plaintiff's anticipated motion for class certification was
6 scheduled for July 2, 2013.

7 4. At a mediation on April 4, 2013, the parties reached agreement on the material
8 terms of a class action settlement. After formal settlement documents were finalized, Plaintiff
9 filed a motion for preliminary approval of the settlement on June 7, 2013. The motion for
10 preliminary approval is scheduled for hearing on July 12, 2013.

11 5. In light of the foregoing, the parties mutually request that the hearing on July 2,
12 2013 scheduled by the Court for Plaintiff's previously expected motion for class certification,
13 which will no longer be filed, be vacated.

14
15 Dated: June 13, 2013

KARASIK LAW FIRM
DYCHTER LAW OFFICES, APC

16 By /Gregory N. Karasik
17 Gregory N. Karasik
18 Attorneys for Plaintiff
DEMETRIOT K. LEWIS

19 Dated: June 13, 2013

CAROTHERS, DiSANTE & FREUDENBERGER LLP

20 By: / Kent J. Sprinkle
21 Kent J. Sprinkle
22 Attorneys for Defendant
SAFELITE FULFILLMENT, INC.

23 **ORDER**

24 Good cause having been shown, it is hereby ordered that the hearing on July 2, 2013
25 scheduled for Plaintiff's previously expected motion for class certification be vacated.

26
27 DATED: June 17, 2013

28 Hon. Charles
United States I

